

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

UNITED STATES OF AMERICA,)	
)	
v.)	CRIMINAL ACTION
)	FILE NO.:3:06-CR-00052-MEF-SRW
RUDOLPH TERRY,)	
Defendants.)	

MOTION FOR CONTINUANCE

COMES NOW DEFENDANT, RUDOLPH TERRY, by and through undersigned counsel, and hereby files this Motion for Continuance of the Plea hearing date, set for Monday, March 6, 2006. In support of this Motion for Continuance, Defendant Terry shows as follows:

1.

Defendant is indicted in the above-referenced Bill of Indictment.

2.

Counsel for Defendant, Brian Steel, is specially set to commence a murder trial in the case of State of Georgia v. Thomas Alan Spencer, Indictment No.:2004SC152324, beginning on **Monday, March 6, 2006** before the Honorable Judge Constance C. Russell in Courtroom 5B of Fulton County Superior Court, Atlanta, Georgia. Said trial is estimated to take no more than seven (7) trial days.

3.

Assistant United States Attorney Andrew Schiff, Esq., was contacted, via telephone, on Tuesday, February 28, 2006, to advise of Defendant's intention to move for a continuance . Assistant United States Attorney Schiff has no objection to same, as previously communicated to Defendant's counsel.

WHEREFORE, Defendant Rudolph Terry respectfully requests that this Court grants a continuance of the Plea hearing date.

This the 1st day of March, 2006.

Respectfully submitted,

S/ BRIAN STEEL

BRIAN STEEL

GA Bar No.: 677640

Attorney for Defendant Rudolph Terry

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served a copy of the within and foregoing
MOTION FOR CONTINUANCE upon all known counsel of record by filing same with CM/ECF:

**Andrew O. Schiff, Esq.
Assistant United States Attorney
United States Attorney's Office
United States Department of Justice-Middle District of Alabama
One Court Square
Suite 201
Montgomery, AL 36101**

This the 1st day of March, 2006.

Respectfully submitted,

S/BRIAN STEEL
BRIAN STEEL
GA Bar No.: 677640
Attorney for Defendant Rudolph Terry